



## Governing Body

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GB.332/POL/PV

Policy Development Section

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## MINUTES

### Policy Development Section

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## Employment and Social Protection Segment

### First item on the agenda

#### Follow-up discussion on the voluntary peer review mechanisms of national employment policies ([GB.332/POL/1\(Rev.\)](#))

1. *The Employer spokesperson* said that the voluntary peer review mechanism must add value to the policy discussions already under way and be differentiated from existing mechanisms. It should be made clear from the outset that peer reviews did not relate to countries' compliance with international labour standards. The Employers would like to see peer review used as a practical learning tool. However, the proposals outlined in the document did not specify the kind of themes that would be reviewed and against which criteria. Moreover, widely varying country contexts made international benchmarking by external parties a challenging task. The objective should be mutual learning, not judgement. The current proposals failed to specify that countries should be free to use the knowledge acquired as they saw fit, and that they would not be ranked on the basis of peer reviews. In addition, the lack of focus in the analytical framework gave cause for concern; its broad scope meant that the potential for superficial analysis and duplication of work was high. Peer review would be more meaningful if organized around a few well-defined thematic areas where there was need for more knowledge and experience sharing. In addition, the cost of the exercise should be commensurate with the benefit; the current proposals appeared expensive. The findings of the review should be followed up, possibly by tripartite committees at the national level, in order to ensure that they had an impact. In addition, the extra cost to the volunteer countries in the production of their assessment reports was not specified. In order to move the discussion forward, the Employers would agree that the requesting country should pay some of the related costs and define the criteria against which the review would be made. The technical support of the Office, with its vast country knowledge, would be invaluable and was likely to cost less than indicated in the document. The decision to conduct peer reviews at a global or subregional level should be taken on the basis of the objectives and priorities of the countries involved; each country was unique and should be treated as such. The more practicable approach would be peer review at the subregional level. A two- or four-year cycle would be sufficient for countries to effectively follow up on the findings of the review as set out in paragraph 6 of the document, particularly with regard to economic growth and job creation and the transition from an informal to a formal economy. In conclusion, his group favoured a decentralized approach that promoted learning with a view to achieving nationally determined priorities. Such an approach should have no scope for inter-country ranking or external judgement of the policy choices made by reviewing countries outside their treaty obligations.
2. *The Worker spokesperson* said that his group continued to support the setting up of a peer review mechanism on employment policies, which would promote mutual learning and assist with the implementation of the comprehensive employment policy framework adopted at the International Labour Conference in 2014, and continued to favour a global peer review mechanism that would allow all members to volunteer and exchange good practices on a broad set of policies. A global approach would promote learning among countries with similar levels of development but different regions and among countries with different levels of development, while a subregional approach would limit the possible benefits. The Workers considered full peer review cumbersome to achieve and so preferred option 1.B, with minor amendments. Peer reviews should include a full tripartite self-assessment by the

countries under review, based on an ILO template, and a global workshop to enable countries to discuss their findings with the Office. ACTRAV and ACT/EMP should be associated with the reviews at both country and global levels and capacity building should be provided to workers' and employers' organizations. The Office should prepare a final report giving guidance on policy options, opportunities for technical assistance and capacity building, for discussion by the Governing Body at least every four years. That should be aligned with the timeline of the recurrent item discussion on employment in order to strengthen the link with the ILO Declaration on Social Justice for a Fair Globalization and contribute to more informed and focused discussions during the Conference. The estimated costs outlined in the document could probably be decreased by using already allocated resources, for instance in the framework of national employment policies. An additional budget to define the methodology for the review process appeared unnecessary, as such expertise should already have been developed by the Office in relation to the comprehensive employment policy framework. It was unclear why the costs for the partial peer review options were so high, as they would basically fall within the costs of global or subregional meetings with the countries that had volunteered. It was regrettable that costs had been included in some Governing Body documents but not others, as their presence or absence influenced the Governing Body's decision-making. Tripartism should be well ensured throughout the whole review process so that the mechanism itself would help reinforce tripartism in the important area of employment policy. Moreover, the Office should consider providing clarification and details on the volunteering process, as well as incentives for participation. Some flexibility should be allowed regarding the number of countries allowed to participate in the review process for each cycle. Similarly, the periodicity of the review should be clarified. The Workers' priority was that the outcomes of the review process fed every four years into the recurrent discussion on employment. In summary, the Workers' group was in favour of adopting option 1.B, taking the elements outlined into consideration. The result would not be a fully-fledged peer review but rather a global conference or forum where participating countries could exchange good practices, promote mutual learning and review one another based on self-assessment supported by the Office.

3. *Speaking on behalf of the Asia and Pacific group (ASPAG)*, a Government representative of Japan said that it would be essential to gain the full agreement of the selected countries when deciding on the countries to be reviewed, since the process must be truly voluntary. In addition, the ILO must provide support for the reviewing countries and countries under review and make efforts to maximize the outcomes in terms of mutual learning and cost-effectiveness. Her group considered that conducting peer review within the same region would be most effective. On the other hand, as it was important to avoid peer reviews becoming a heavy burden for reviewing countries and countries under review, a full peer review process would not be effective. For those reasons, and provided that the Office took its guidance into account, her group supported option 2.B.
4. *Speaking on behalf of the group of Latin America and Caribbean Countries (GRULAC)*, a Government representative of Paraguay said that it was of paramount importance that peer review mechanisms remained voluntary and helped to foster mutual learning and exchange of good practices. Peer review should also serve to connect the efforts of governments among countries with common characteristics and similar circumstances. However, the options put forward in the document did not fully reflect that principle. Under options 1.A and 2.A, it was unclear how the system, described in paragraph 14, through which countries could volunteer would be established and who would be responsible for its design. Further details on the global symposium and the peer review workshop should be specified. Moreover, a mechanism through which countries would at the same time review and be reviewed by their partners could be envisaged. In addition, the Office's role in promoting capacity building for the sharing of best practices and development cooperation, including South-South and triangular cooperation, could be further clarified at the inception, implementation and follow-up stages. The extent to which the conclusions of the recurrent item discussion at the

2014 Conference would be applicable to the review of specific national employment policies as stipulated in paragraph 4(b) must be discussed on a case-by-case basis. Moreover, partial peer review might, in fact, duplicate existing mechanisms and systems, such as the Committee on the Application of Standards and national tripartite decent work conferences. In view of the above, he proposed amending the draft decision contained in paragraph 32 to read: “The Governing Body requests the Office to hold intersessional consultations with a tripartite element on drafting further detailed proposals regarding document GB.332/POL/1, so that the issue can be examined for decision at its 334th Session in October–November 2018.”

5. *Speaking on behalf of the Africa group*, a Government representative of Senegal said that creating decent and productive work was at the heart of the African region’s priorities. The region had issued recommendations in response to the employment challenges it faced and was seeking to strengthen coordination between regional economic communities and international partners. Such efforts bore witness to the Africa group’s interest in the monitoring and evaluation of employment policies. However, after discussion, his group considered that intersessional consultations were necessary and supported deferring the discussion on voluntary peer review mechanisms to the 334th Session of the Governing Body.
6. *Speaking on behalf of the Governments of Austria, Belgium, Canada, Denmark, Finland, Germany, Ireland, Netherlands, Norway, Poland, Sweden, United Kingdom and United States*, a Government representative of Finland said that he agreed with the voluntary aspect of the mechanism but added that it should focus on limited and well-defined policy areas. He insisted that conducting peer reviews was not a requirement by the International Labour Conference. Further, he expressed serious reservations regarding the high costs and resources that the mechanism would incur, as well as the added value of the initiative considering the possibility of duplication with other relevant ILO processes and the peer reviews of national employment policies already carried out by international and regional bodies. A wealth of information was already available within the Office that could serve the same purpose as a peer review. He noted the lack of consistency among the various options, one of which required a self-assessment report by the country under review, while another required a report from a tripartite delegation in the country and another required the Office to complement a national report. It was unclear why the ILO should play such an active and costly role under some of the options. Before introducing new mechanisms, the ILO should make better use of existing mechanisms and cooperate with other UN agencies, especially taking into account the ongoing UN reform. Although he recognized the need for experience sharing and mutual learning, a peer review mechanism should not be implemented.
7. *A Government representative of China* said that the voluntary peer review mechanism would promote cooperation and exchange and help countries to analyse long-term structural challenges in the labour market, an important contribution given the current difficult employment context. The mechanism must be voluntary and the scope of the review, including the review cycle, should be determined by the participating countries through consultation. He said that he did not want the mechanism to inform the recurrent item discussion on employment. It was the ILO’s role to support tripartite partners, for instance, in building capacity, promoting proactive labour market policies and improving entrepreneurship mechanisms. The Office should also provide integrated and interdisciplinary technological support at the global level in order to promote exchange of employment policies and experiences. His Government supported option 2.B.
8. *A Government representative of India* said that a peer review mechanism of national employment policies could be a success only if member States had well-developed employment policies. The ILO should provide technical assistance to countries in that regard. His Government supported option 2.B. Countries of the same geographical subregion

would benefit the most from one another since they had a similar demography, level of economic growth and governance system. The mechanism should promote knowledge sharing, mutual learning and networking among countries. It should also contribute to achieving long-term objectives, such as policy and institutional reforms.

9. *A Government representative of Cuba* said that her Government had not agreed to peer review and had raised a concern about the matter in a previous meeting. However, intersessional consultations should continue.
10. *A representative of the Director-General* (Deputy Director-General for Policy) said that there was little consensus on the voluntary peer review mechanism. While preference had been more frequently expressed for option 2.B, the Workers' group was in favour of option 1.B, and some countries did not support peer review at all. She emphasized that the mechanism would be voluntary, allowing for flexibility and mutual learning, and should not involve strict criteria so as to give as much flexibility as possible to the mechanism and thus have a truly voluntary system. The countries participating in the reviews would establish their own parameters and be free to absorb the findings of the review in the best way they saw fit. The Office was happy to conduct intersessional meetings, if the Governing Body so wished, to clarify matters and spell out details of the review process, but it was important to ensure that the process did not become prescriptive. The Office was able to absorb some low costs, such as for the design of a template, but other costs were involved, notably in terms of staff time. The cost of the partial review was higher than the full review because the former required the Office to visit the country and carry out a technical analysis. The major role of the Office in all cases would be to provide technical and analytical support.
11. *The Worker spokesperson* said that although he supported the amendment proposed by GRULAC, the phrase "intersessional consultation with a tripartite element" should be replaced by the phrase "tripartite intersessional consultations". The Office should limit the options for peer review to two, rather than four. Since there was no appetite for option 1.A (full peer review at global level) or for option 2.A (full peer review at subregional level), both should be dropped. The remaining two options would, therefore, be options 1.B (partial peer review at global level) and 2.B (partial peer review at subregional level). Limiting the options would make it easier for different groups and governments to focus and make a decision. While processes and institutions could overlap in regional or international peer reviews, the problem appeared only to affect countries of the European Union and the Organization for Economic Co-operation and Development. It was important to support the process of peer review, or at least of "review". Indeed, option B was in both instances a self-assessment complemented by the ILO rather than a peer review.
12. *The Employer spokesperson* said he agreed that further discussions should be held and that they should be limited to options 1.B and 2.B. His group was in favour of option 2.B. He supported the amendment proposed by GRULAC.

## Decision

13. ***The Governing Body requested the Office to hold tripartite intersessional consultations on drafting further detailed proposals regarding document GB.332/POL/1, so that the issue can be examined for decision at its 334th Session in October–November 2018.***

(GB.332/POL/1(Rev.), paragraph 32, as modified by the Governing Body.)

## Social Dialogue Segment

### Second item on the agenda

#### Sectoral meetings held in 2017 and proposals for sectoral work in 2018–19 ([GB.332/POL/2](#))

14. *The Employer spokesperson*, thanking the Office for the document regarding the two meetings held in 2017, said that the Employers commended the productive results of the two meetings, on migrant fishers and opencast mines, which were a result of the solid work of the Office and the input of the tripartite partners and experts in attendance. The Tripartite Meeting on Issues Relating to Migrant Fishers had resulted in a universal agreement on recommendations, namely, appropriate legislation, harmonization of migration policies and effective labour inspection. The Meeting of Experts on Safety and Health in Opencast Mines had resulted in the adoption of a revised code of practice. The Employers supported the draft decision.
15. *The Worker spokesperson*, thanking the Office for the document and for the organization of the two meetings held in 2017, welcomed the recommendations to improve unacceptable working conditions in the two economic sectors, which were key to achieving the Sustainable Development Goals. The necessary efforts to allow workers to exercise their fundamental rights relied upon the commitment of governments to ratifying and implementing the relevant standards, as well as the commitment of enterprises to respecting human rights and labour standards, at all levels and throughout the supply chain. The Workers welcomed the revised code of practice on safety and health in opencast mines and asked that it be used to improve occupational safety and health in that sector. The adoption of the code should be seen as an opportunity to promote the ratification and implementation of the Safety and Health in Mines Convention, 1995 (No. 176). Regarding migrant fishers, who were among the most vulnerable workers and subject to various abuses, the Workers supported the conclusions encouraging close cooperation between United Nations agencies for the rapid implementation of international instruments and the formulation of directives on recruitment and effective legal cooperation. The results of the two tripartite meetings must be implemented and closely followed up, and adequate budget allocations must be made to promote the recommendations. The Workers welcomed the meetings planned for 2018 and supported the draft decision.
16. *Speaking on behalf of the Africa group*, a Government representative of Côte d'Ivoire said that his group considered the results of the two tripartite meetings to be rich and encouraging. With respect to migrant fishers, the implementation of the recommendations and resolution formulated by the tripartite meeting would improve the safety and dignity of workers who currently suffered from treatment which amounted to forced labour. Those proposals included, inter alia, developing an UN inter-agency roadmap for the rapid implementation of international agreements concerning labour in the sector; providing support to businesses to eradicate forced labour and child labour; and supporting the ratification of the Work in Fishing Convention, 2007 (No. 188). His group welcomed the revised code of practice on safety and health in opencast mines. The new version of the code provided a clear picture of risk management and methods of intervention in emergency situations. Noting that the list of meetings for 2018–19 was in line with the decisions taken by the Governing Body at its 329th and 331st Sessions, his group urged the Office and the member States to adopt the guidance from the two meetings in 2017 and supported the draft decision.

17. *Speaking on behalf of the group of industrialized market economy countries (IMEC)*, a Government representative of Canada took note of the meetings held in 2017 and supported subparagraphs (a)–(d) of the draft decision. With regard to subparagraph (e), IMEC agreed with the proposed meetings listed in the table presented in the appendix as it had been the subject of tripartite agreement. However, he asked the Governing Body to remain open to holding an expert meeting during the first half of 2019 to discuss the content of the possible outcomes of the 108th Session of the Conference (2019), as many questions remained pending.

## Decision

### 18. *The Governing Body:*

- (a) *took note of the reports of the meetings referred to in section I;*
- (b) *authorized the Director-General to communicate the final report of the Tripartite Meeting on Issues relating to Migrant Fishers to governments, requesting them to communicate the report to the employers' and workers' organizations concerned, and to the international employers' and workers' organizations and other international organizations concerned;*
- (c) *requested the Director-General to bear in mind, when drawing up proposals for future work, the recommendations for future action by the ILO made by the Tripartite Meeting on Issues relating to Migrant Fishers;*
- (d) *authorized the Director-General to publish the code of practice on safety and health in opencast mines; and*
- (e) *endorsed the proposals contained in the appended table relating to the dates, duration, official title, purpose and composition of the meetings listed therein.*

(GB.332/POL/2, paragraph 11.)

## Third item on the agenda

### **Follow-up to the IV Global Conference on the Sustained Eradication of Child Labour (Buenos Aires, 14–16 November 2017)** ([GB.332/POL/3](#))

19. *A Government representative of Argentina* said that the IV Global Conference on the Sustained Eradication of Child Labour (IV Global Conference), held in Buenos Aires, had been a space for tripartite dialogue, exchanging experiences and good practices, and policy reflection. The consensus on best practices, current challenges and actions and principles was summarized in the Buenos Aires Declaration on Child Labour, Forced Labour and Youth Employment (the Declaration), which served to guide actions for the eradication of child and forced labour and for the generation of decent jobs for young people. The Declaration called for a human rights-based approach, urging the international community to take concrete actions in three areas: policy and governance; knowledge, data and monitoring; and partnerships and innovation. The organization of the IV Global Conference reflected Argentina's commitment to compliance with Conventions Nos 138, 182, 29

and 105, as well as the Protocol of 2014 to the Forced Labour Convention, 1930, and the 2030 Agenda for Sustainable Development, especially target 8.7. The Conference represented a milestone in the promotion of international cooperation, tripartite dialogue, sustainable partnerships, the participation of civil society, the exchange of experience, knowledge and information, the ratification of the principles reflected in the Brasilia Declaration, and the 96 voluntary pledges to carry out the IV Global Conference objectives. His Government was committed to the Declaration and the voluntary pledges. It would continue sharing experiences and collaborating with the international community and, if necessary, would assist the organizer of the V Global Conference.

20. *The Worker spokesperson*, thanking the Office for the document and the Argentine Government for organizing the IV Global Conference, welcomed the Declaration. The full exercise of fundamental rights and an integrated view of the root socio-economic causes of the problems were necessary for the effective implementation of the Declaration. Child labour and forced labour were complex issues which required sustainable long-term solutions, encompassing social justice, distribution of wealth, and the defence and creation of decent work, within a context of transition to sustainable development models. The international community must be decisive in demanding the eradication of child labour and forced labour and the Declaration highlighted the key role to be played by workers' and employers' organizations. The ratification and implementation of international labour standards were key for achieving the Conference objectives, especially the ILO fundamental Conventions and the Protocol of 2014 to the Forced Labour Convention, 1930. Convention No. 102 and Recommendation No. 202 must serve as a basis to guide social protection policy, which was fundamental to eliminating child labour and forced labour.
21. Decent work and universal social protection were essential to implement the proposals in the Declaration. The Workers supported the proposals of the Declaration as summarized in paragraph 8 of GB.332/POL/3 and welcomed its recognition of the importance of enterprises respecting human rights. The Decent Work Agenda would only become a reality by overcoming challenges posed by globalized production, financing, and changes in demographics, climate and technology. The Declaration's integrated approach to the achievement of target 8.7 of the 2030 Agenda, including the creation of a forum on Alliance 8.7, was innovative. Overall, his group was satisfied with the outcomes of the Conference, the shared focus on the rights and best interests of the child, and the call to take concrete actions in the three key areas described in the document. He requested further information from the ILO on the implementation of the Plan of Action for the period 2017–23, in particular on resources allocated to its implementation and targets to be met by December 2018, and how the Office would implement tripartite agreements in the framework of target 8.7 of the 2030 Agenda, including national commitments. He hoped that Alliance 8.7 would strengthen tripartite cooperation and promote the ratification and implementation of instruments on child and forced labour. He supported the draft decision and the proposal of GRULAC to designate 2021 as the United Nations International Year on the Eradication of Child Labour and the Protection of Adolescent Workers. Governments should formulate regulations to eliminate child labour and forced labour now: 2030 was too long to wait.
22. *The Employer spokesperson* said that the adoption of the Declaration was a milestone in the fight against child labour and had enabled the international tripartite community to analyse progress made since the Oslo conference. ILO global estimates on child labour, forced labour and forced marriage had proved crucial to discussions; however, progress in the eradication of child labour had stagnated. Positive outcomes would only be achieved through renewed coherent, coordinated efforts to strengthen labour inspection, education, victim protection and social security systems, and achievement of the 2030 Agenda targets would require prompt action. The ILO should support the implementation of the 96 pledges arising from the IV Global Conference within the framework agreed. Efforts should be redoubled to

transform behaviours and cultures and to create institutions, policies and alliances for the eradication of all forms of child labour by 2025 and of forced labour by 2030 through accelerated actions. Employers would pursue innovative approaches to end child labour and forced labour. The focus must be on education to provide opportunities for children and young people, prioritizing a rights-based approach to the eradication of child labour and forced labour, and risk mitigation in commercial operations and supply chains. Her group supported the draft decision.

23. *Speaking on behalf of ASPAG*, a Government representative of Australia said that her group welcomed the continued focus on unacceptable forms of work and underscored the need for sustained international efforts to eradicate child labour and forced labour. She requested further detail on the content of the 96 pledges delivered at the IV Global Conference so constituents unable to attend could study its commitments and outcomes. Her group supported the Office's work with regard to Alliance 8.7, an initiative that enabled constituents to make efficient use of resources and share lessons learned. Sustained tripartite efforts were vital to the achievement of the Conference's outcomes, in particular regarding Alliance 8.7, and progress should be tracked through meaningful, focused discussion.
24. *Speaking on behalf of the Africa group*, a Government representative of Uganda said that his group had taken note of the main outcomes of the IV Global Conference. He welcomed the global collaborative approach to the elimination of child labour and forced labour and the development of policies to promote quality youth employment. The outcomes of the Conference would be central to the development of a holistic, integrated Office approach and would help the international community combat child labour and forced labour and obstacles to decent work for adults. The ILO should follow up on voluntary pledges made by constituents in the areas of policy, research, financial commitments, partnerships, advocacy, ratification and legislation at the national level, and should also provide the technical assistance necessary to fulfil its vision in that regard. He encouraged constituents to strengthen mechanisms and efforts aimed at the implementation of the Declaration in conjunction with the ILO Plan of Action for the period 2017–23 in order to deliver concrete outcomes. The Declaration should be disseminated as widely as possible with a view to meeting target 8.7 of the 2030 Agenda. He supported the draft decision.
25. *Speaking on behalf of GRULAC*, a Government representative of Paraguay said that Spain aligned itself with the statement. Efforts to eradicate child labour and forced labour and to generate decent work for young people should be accelerated; tripartite dialogue and coherent national policies were needed. His group had set up a regional initiative to accelerate the eradication of child labour and promote the rights of children in the region under a framework that emphasized the need for preventive and targeted action to identify at-risk children, offer their families social protection, prevent their early entry into work, and ensure adequate, age-appropriate working conditions once they started work. Stakeholders from all sectors had committed to the 96 pledges proposed at the Conference, 13 of which came from his region. He underlined his group's commitment to the proposed designation of 2021 as the United Nations International Year on the Eradication of Child Labour and the Protection of Adolescent Workers as it would ensure the continued prioritization of the issue among stakeholders on the road to 2025. The ILO should provide assistance towards the achievement of the proposed objectives. He supported the draft decision.
26. *Speaking on behalf of the European Union (EU) and its Member States*, a Government representative of Bulgaria said that the following countries aligned themselves with the statement: the former Yugoslav Republic of Macedonia, Montenegro, Serbia, Albania, Bosnia and Herzegovina, the Republic of Moldova and Georgia. Her group had demonstrated its commitment to the elimination and prevention of child labour and forced labour and the promotion of rights at work by enacting Community-wide legislation and EU projects to that end. Current child labour estimates, the stagnation in the decline of child

labour and the increased number of forced labour victims were troubling. The momentum created during the IV Global Conference should be harnessed to accelerate action towards a breakthrough in the fight against child labour and forced labour. She welcomed the adoption of the Declaration and the shared commitment to eliminating child and forced labour in global supply chains. The timing of the Declaration would help mobilize efforts towards the achievement of target 8.7 of the 2030 Agenda and served as valuable guidance for all relevant stakeholders.

27. She urged ILO constituents to honour commitments assumed under the three key areas of the Declaration. The ILO should support the constituents through operational programmes and projects such as the IPEC+ flagship programme and the Fair Recruitment Initiative, and companies should engage in the Child Labour Platform. Given the complex nature of child labour and forced labour, an integrated policy response consistent with the Declaration and the ILO Plan of Action for the period 2017–23 was essential to the implementation of the conclusions of the second recurrent discussion on fundamental principles and rights at work.
28. She called on member States to ratify Conventions Nos 138 and 182 and the other fundamental ILO Conventions, as well as the Protocol of 2014 to the Forced Labour Convention, 1930. She recalled the importance of the UN Convention on the Rights of the Child and its Optional Protocols.
29. In view of the need to strengthen labour inspection to better detect and assist victims of child and forced labour, the policy and governance framework should provide for adequate support to victims and the implementation of effective mechanisms to prosecute perpetrators. Given the link between poverty and child and forced labour, effective measures on poverty reduction and social inclusion were needed; the intergenerational transmission of poverty could be prevented through an integrated policy approach that supported children and families, in line with the Social Protection Floors Recommendation, 2012 (No. 202).
30. Compulsory, free and accessible quality education for all children was key to the prevention of child labour, with investment in that area being most cost-effective and providing the highest social return. Creating opportunities for apprenticeships and decent work for adults and young people was also crucial, and the Decent Work Country Programmes (DWCPs) would be helpful in implementing the Declaration, as would a focus on vulnerable groups or on other unacceptable forms of work in global supply chains. The informal economy, trafficking of human beings and existing decent work deficits posed great challenges.
31. Building partnerships with other UN agencies and the private sector and promoting regional and subregional initiatives were also essential to implementing the Declaration and monitoring progress within the framework of Alliance 8.7 and South–South cooperation. The ILO had a leading role to play in providing technical assistance for social dialogue and collecting and disseminating information.
32. Tangible progress before the next Global Conference would require ambition and concrete measures following up on government pledges. It would therefore be useful if the Office were to provide a document summarizing the pledges, and she proposed two additional subparagraphs to the draft decision, to read:
  - (d) asks the Office to make an overview of the pledges made in Buenos Aires, clustered per theme and/or subject; and
  - (e) requests the Office, in cooperation with Alliance 8.7, to organize before the V Global Conference a mid-term review of the progress made in eliminating child and forced labour and achieving SDG target 8.7 in those matters.

33. The proposed amendment was neither a new follow-up mechanism nor a binding review of commitments made under the Declaration. The aim was merely to take stock of progress made and exchange best practices midway between the IV and V Global Conferences.
34. *Speaking on behalf of GRULAC*, a Government representative of Paraguay proposed a subamendment to the draft decision, in the form of an additional subparagraph, to read:
- (f) encourages the General Assembly of the United Nations to declare the year 2021 as International Year for the Elimination of Child Labour.
35. *A Government representative of Indonesia* reaffirmed her country's commitment to eliminating child labour by 2022 through a national action plan, an environment conducive to accessible education, programmes to help children stay in school and subsequently undertake vocational education, and cooperation with the social partners and civil society. Although global partnerships were paramount in implementing the Declaration, the ILO should take the lead while preserving its unique tripartite system.
36. *A Government representative of Turkey* said that his Government was taking steps towards eliminating child labour in all its forms by 2025, including longer compulsory education and other regulatory measures, awareness-raising activities and close cooperation with the social partners, civil society and the ILO. Turkey was currently hosting more than 4 million refugees, of which 3.5 million were Syrians and 1.3 million were children, a situation that was a striking example of the challenges posed by migration and forced displacement. His Government could not tackle such a large-scale problem on its own; international solidarity and concrete support were needed urgently. Turkey supported the draft decision, as amended by GRULAC and the EU and its Member States.
37. *A Government representative of China* said that the Office should take into account the principles and actions in the Declaration when preparing the Programme and Budget for 2018–19. The Office should also strengthen its follow-up and continue its engagement with all stakeholders, such as through Alliance 8.7, and strengthen resource mobilization and development cooperation, including through the IPEC+ flagship programme, to meet the demands of its tripartite constituents. His Government supported the draft decision.
38. *A Government representative of Germany* said that eradicating all forms of child labour by 2025 would require urgent and decisive action at the national and international levels through bilateral and multilateral cooperation. Alliance 8.7 had an important role to play, and her Government supported the idea of involving the Alliance in a midterm review to be organized in collaboration with the Office. Addressing working conditions in global supply chains would be key to achieving the eradication of child labour and forced labour. Governments, the social partners, and particularly enterprises, played an important role in carrying out human rights due diligence in the supply chains. Her Government supported the draft decision as amended by the EU and its Member States.
39. *A Government representative of Nepal* said that international cooperation was essential to meeting SDG target 8.7 and the pledges made by governments. The goal of eliminating child labour was enshrined in Nepal's Constitution and other domestic legislation, which were enforced through labour offices, child welfare offices and committees, and a national child helpline. Development partners, non-governmental organizations and other non-state actors had an important role to play in raising awareness and implementing legislation. The Declaration was highly relevant, and collective efforts should be made to ensure that it produced results. His Government supported the draft decision as amended.
40. *A Government representative of India* said that laws and enforcement mechanisms on child labour were in place in his country and that his Government had ratified and was

implementing Conventions Nos 138 and 182. There were also constitutional and legal mechanisms that prohibited forced labour in India, including organized begging rings, forced prostitution and child labour. Partnerships were welcome; however, the Office should be cautious and ensure that all databases and methodologies were tested before use, and that governments and the social partners were consulted on initiatives. He supported the draft decision.

41. *A Government representative of Australia* said that measures being taken by Australia to combat modern slavery and child labour included the introduction of legislation to require businesses to report annually on their actions to address modern slavery in their operations and supply chains. Furthermore, the Government of Australia was working towards ratification of the Protocol of 2014 to the Forced Labour Convention, 1930, as well as Convention No. 138. As a key platform to advance international cooperation and programmes, Alliance 8.7 sought to join expertise, avoid duplication of efforts and promote a collaborative response to ending child labour and forced labour; the ILO should therefore direct its efforts to implement the Declaration through the Alliance. She encouraged all stakeholders to lend their support to the planned Alliance 8.7 briefing at the International Labour Conference in June 2018 and the multi-stakeholder event at the High-Level Political Forum on Sustainable Development in New York in July 2018.
42. *A Government representative of Bangladesh* said that Bangladesh supported the Declaration, which had integrated all possible efforts that could be made to eliminate child labour and forced labour. His country had made sustained efforts to eradicate child labour, but challenges remained in the informal sector, particularly in agriculture. He called for the engagement of development partners and the ILO to support the monitoring system that had been put in place. Child education, which was compulsory and free in Bangladesh at the primary level, could play an effective role in eradicating child labour.
43. *A representative of the Director-General* (Deputy Director-General for Policy) thanked members of the Governing Body for their impressive collective commitment to supporting the outcomes of the IV Global Conference. She welcomed the ratification by India of Conventions Nos 138 and 182 and the consideration of the ratification of Convention No. 138 by Australia. There was a recognition of the need to deepen and accelerate efforts to address the issue, which required a similar response from the ILO. She called on the Governing Body to support the ILO's efforts, which would require an integrated approach.
44. *The Chairperson* introduced amendments from GRULAC and the EU and its Member States.
45. *The Employer spokesperson* welcomed the amendments put forward by GRULAC and the EU and its Member States, in particular the EU's amendment suggesting that a midterm review would be held between the IV Global Conference in 2017 and the next Global Conference. She supported making specific reference to child labour and forced labour when achievement of SDG target 8.7 was mentioned.
46. *The Worker spokesperson* recalled that, for the Workers' group, child labour, forced labour and modern slavery was not an issue of culture, but rather of the commission of criminal acts, which needed to be addressed with more than strong words. Unscrupulous enterprises must be brought to justice and punished, otherwise those wishing to respect formal rights and structures would face unfair and illegal competition. He supported the call for a register of companies that had demonstrated unethical business attitudes and conduct, with a view to effectively blacklisting them from being engaged by the State.

47. With respect to the amendments, he asserted that the ILO should take the lead in supporting the Declaration. The ILO played an essential role in the development of tripartite dialogue, raising the opportunity to generate consensus, plan a predictable horizon and ensure sustainability for the definitive eradication of child labour, forced labour and modern slavery.
48. *Speaking on behalf of GRULAC* a Government representative of Paraguay requested the EU and its Member States to explain the objectives and scope of their amendment. He asked why Alliance 8.7 had been mentioned in subparagraph (e), given that there were other organizations and regional alliances dealing with the topic. Furthermore, he asked for an explanation of the midterm review, which had not been the object of discussion, nor was it referred to in the Declaration. Pledges made by participating countries had been of an entirely voluntary nature.
49. *Speaking on behalf of IMEC*, a Government representative of Canada said that the Declaration could play an important role in raising awareness and encouraging further voluntary action from stakeholders in the fight against child labour and forced labour. He asked the Office for information as to how the Declaration would be integrated into the activities of the IPEC+ flagship programme and to give more details about the request for additional resources. He urged the ILO to continue its work with regional organizations to support their role in accelerating action to combat child labour and forced labour and requested the Office to draw up a summary of the pledges made in Buenos Aires, grouped by themes. The overview could be used for follow-up and to facilitate strategic planning of assistance in order to avoid unnecessary duplication and to promote cooperation. The momentum created in Buenos Aires should not be lost. IMEC supported the draft decision as amended by the EU and its Member States and subamended by the Employers' group.
50. *Speaking on behalf of the EU and its Member States*, a Government representative of Bulgaria said her group supported the subamendments made by the Employers' group. She confirmed that the EU's amendment in subparagraph (d) requested the Office, in cooperation with Alliance 8.7, to organize before the next Global Conference a midterm review of the progress made towards the eradication of child labour and forced labour. Alliance 8.7 was put forward so as to ensure coherence of the ILO's actions together with its constituents and its stakeholders.
51. *Speaking on behalf of ASPAG*, a Government representative of Australia supported the draft decision, as amended by the EU and its Member States and subamended by the Employers' group.
52. *A representative of the Director-General* (Deputy Director-General for Policy) explained that the Declaration would inform the IPEC+ Flagship Strategy, but that the two were fully consistent. She acknowledged that the ILO would have to expand its efforts so as to include and support those countries that had made pledges under the Declaration. In terms of resources, it was clear that implementing the Declaration would demand greater resources than were currently available. If the ILO was to be a primary actor, as requested by the Governing Body, then more resources would be required.
53. *A Government representative of Brazil* asked whether there was a common understanding of the themes that the Office would use for grouping the pledges made at the IV Global Conference.
54. *A representative of the Director-General* (Deputy Director-General for Policy) said that the themes would emerge from examination of the 96 pledges themselves.

## Decision

### 55. *The Governing Body:*

- (a) *expresses its gratitude to the Government and the social partners of Argentina for hosting and ensuring the success of the IV Global Conference on the Sustained Eradication of Child Labour;*
- (b) *endorses the Buenos Aires Declaration and requests the Office to support its implementation in conjunction with the ILO Plan of Action for the period 2017–23 to give effect to the conclusions concerning the second recurrent discussion on fundamental principles and rights at work, adopted by the International Labour Conference in June 2017;*
- (c) *reconfirms its commitment to the elimination of child labour and forced labour and requests the Office to continue providing technical assistance to achieve these objectives;*
- (d) *asked the Office to make an overview of the pledges made in Buenos Aires, clustered per theme and/or subject;*
- (e) *requested the Office, in cooperation with the Alliance 8.7, to organize before the Vth Global Conference a mid-term review of the progress made in eliminating child labour and forced labour, and achieving SDG 8.7 in these matters; and*
- (f) *encouraged the General Assembly of the United Nations to declare the year 2021 as International Year for the Elimination of Child Labour.*

(GB.332/POL/3, paragraph 25, as modified by the Board of Directors.)

## Development Cooperation Segment

### Fourth item on the agenda

#### **ILO South–South and triangular cooperation and decent work: Recent developments and future steps**

([GB.332/POL/4](#))

56. *The Employer spokesperson* said that her group supported the strengthening of South–South and triangular cooperation, which was an effective means of peer-learning and capacity development. Increasingly, emerging countries had resources and skills that they were able to share. She welcomed the results of training for ILO staff and constituents on tools and policy guidance in cooperation with the Turin Centre; that training should be further strengthened, mindful of the role and needs of employers’ organizations. The Office should work with the Bureau for Workers’ Activities (ACTRAV) and the Bureau for Employers’ Activities (ACT/EMP) to adopt tailored and measurable plans to build constituents’ capacities. South–South and triangular cooperation programmes could be adapted to specific needs and contexts, and she welcomed the examples given in the

document. South–South and triangular cooperation should be taken into account in the current reform of the United Nations (UN) development system, and any proposals made to the Second High-level United Nations Conference on South–South Cooperation in 2019 (BAPA+40) should reflect the work of the ILO and the role of the social partners. The fact that an expanded South–South and triangular cooperation strategy would benefit the ILO’s development cooperation activities would be discussed as part of the general discussion at the 107th Session (2018) of the International Labour Conference on effective ILO development cooperation in support of the Sustainable Development Goals (SDGs). She supported the draft decision.

57. *The Worker spokesperson* said that the strategic elements of South–South and triangular cooperation should form part of the general discussion at the 107th Session of the International Labour Conference, in order to strengthen the role of the ILO in that regard. South–South and triangular cooperation was about facilitating a different view of cooperation, not in confrontation with the North, but highlighting the perspective from the South to the South, which could have a positive impact on the promotion of decent work. He welcomed efforts to implement the strategy outlined in paragraphs 12–14 of the document, and the measurable results, which included the participation of social partners in regional and national alliances. He appreciated innovative training and capacity building and cooperation with trade unions in the framework of the Global Labour University, as well as the role of the Turin Centre. Workers’ fundamental rights should remain the focus of all South–South cooperation activities, including in countries that had not ratified the ILO’s fundamental Conventions. He welcomed the linkages with the SDGs, and said that the ILO’s approach to South–South and triangular cooperation should be presented to the Second High-level United Nations Conference on South–South Cooperation in 2019 (BAPA+40) and promoted across the UN system. He supported the draft decision.
58. *Speaking on behalf of ASPAG*, a Government representative of the Islamic Republic of Iran commended the implementation of the strategy. The role of South–South cooperation was increasingly relevant, in particular with regard to achieving the SDGs, and some countries, mostly in the Asia and Pacific region, were seeking to play a more active role in fostering partnership for development cooperation. South–South and triangular cooperation had proven useful in promoting decent work, sustainable growth and social development; innovative experiences and good practices should be identified and shared. Such cooperation could contribute to advancing effective development cooperation, and thus should be part of the general discussion at the 107th Session of the International Labour Conference. South–South and triangular cooperation should be expanded to advance the Decent Work Agenda. The ILO should also engage with UN inter-agency processes and enhance the multilateral development cooperation system on the matter so as to avoid the duplication of work. He welcomed the South–South and triangular cooperation academy held in 2016. The work of the Turin Centre, and the integration of South–South and triangular cooperation into academies and programmes should be expanded. He supported the draft decision.
59. *Speaking on behalf of GRULAC*, a Government representative of Paraguay expressed her group’s full support for the strategy and noted the particular importance of projects aimed at promoting the Decent Work Agenda through South–South and triangular cooperation. Governments, the social partners, United Nations agencies and non-state actors should play a greater role in that regard. She highlighted examples of such cooperation in the Americas in respect of eradicating child labour and promoting migrant workers’ rights, drawing attention in particular to projects funded by Brazil on combating forced labour in the cotton sector, migration and green jobs. She recognized the role of the Inter-American Centre for Knowledge Development in Vocational Training (CINTERFOR) in strengthening South–South and triangular cooperation and the role it could play in sharing good practices. The ILO should continue to fully support the South–South and triangular cooperation projects, and increase its support, particularly in the areas of labour administration, social

dialogue, youth employment policy, and gender and disability. She supported the draft decision, and reiterated that the ILO's innovative experiences would be valuable when discussing effective development cooperation in support of the SDGs at the 107th Session of the International Labour Conference.

60. *Speaking on behalf of the Africa group*, a Government representative of Côte d'Ivoire stressed the importance of South–South and triangular cooperation in effective development cooperation, and the ILO's involvement therein. The Office should continue to strengthen South–South and triangular cooperation in the programme and budget in each biennium, which would facilitate advancement of the Decent Work Agenda through the activities outlined in the document. He recalled the adoption in 2017 of the South–South Cooperation for Decent Work in Africa – Framework for Action, which sought to facilitate the attainment of the 2030 Agenda and the African Union's Agenda 2063. He commended the inclusion of a general discussion on effective ILO development cooperation in support of the SDGs on the agenda of the 107th Session of the International Labour Conference. The group supported all national and regional South–South and triangular cooperation initiatives in Africa and welcomed the nine elements of the proposed expanded South–South and triangular cooperation programme. He urged the Office to find a more effective way to share examples of good practice and expertise with members, particularly in Africa, in order to encourage more interest and engagement from different actors. His group supported the point for decision.
61. *Speaking on behalf of the Community of Portuguese-speaking Countries (CPLP)*, a Government representative of Brazil highlighted several ways in which the Community supported South–South and triangular cooperation, notably as part of a fruitful partnership with the ILO. The results of the strategy were positive and showed that there was potential for further development. The strategic dimension of South–South and triangular cooperation should play a prominent role in helping countries to achieve the SDGs. The extension of strategy during the 2018–19 biennium was important to strengthen the Organization's credentials in the context of increased attention to cooperation in relation to Goal 17 of the 2030 Agenda, the UN reform and the preparations for the Second High-level United Nations Conference on South–South Cooperation in 2019 (BAPA+40). She expressed support for the draft decision and encouraged the other members of the Governing Body to do likewise.
62. Speaking on behalf of her own Government, she expressed her appreciation for the Governing Body's support of South–South cooperation, which was of great importance for Brazil.
63. *A Government representative of Bangladesh* observed that regional cooperation and regional integration created a common platform for developing countries to promote shared prosperity and use resources more effectively, and gave examples of areas in which his Government was ready to share best practices. South–South and triangular cooperation would contribute to achieving the SDGs and the general discussion at the forthcoming session of the Conference would strengthen linkages with other UN development cooperation agencies in that respect. He proposed four additional points for consideration alongside the future steps set out in the document: the implementation of joint projects or programmes for employment and decent work in third southern partner countries, with the participation of northern donors and the promotion of multilateral institutions and southern partners; skill sharing among small and medium-sized enterprises (SMEs) in favour of women entrepreneurs and the improvement of healthcare provision for women; knowledge sharing on disaster management, green job creation and technology for agricultural development and sustainable fishery as well as support for the documentation and dissemination of technological innovations and good labour practices in southern countries. He supported the draft decision.

64. *A Government representative of Indonesia* expressed support for the proposal to expand the South–South and triangular cooperation strategy and noted the continued benefit of the approach that aimed to achieve two outcomes, namely greater awareness and capacity, and wider engagement among constituents and civil society. Decent work should be incorporated into the South–South cooperation programmes within the UN system; to that end, she encouraged the Office to contribute to the Second High-level United Nations Conference on South–South Cooperation in 2019. It was important to discuss the synergy between SDG 8 and SDG 17.9. The Office should strengthen cooperation with regional organizations to address decent work challenges, and notably support implementation of the ASEAN Consensus on the Protection and Promotion of the Rights of Migrant Workers. South–South technical cooperation was about developing social dialogues and partnerships for development, in addition to providing financial and technical support, and the Office should place emphasis on partnership between Members, social partners, UN agencies and non-state actors, and provide innovative, sustainable funding options during the general discussion on effective development cooperation. She expressed support for the recommendations for future steps.
65. *A Government representative of Nepal* called for increased South–South and triangular cooperation for the effective implementation of the ILO mandate and related SDG goals, while noting that such cooperation was not a substitute for North–South cooperation. The forthcoming general discussion should highlight the issues of decent work, sustainable growth and social development. His Government remained committed to supporting the advancement of the Decent Work Agenda through South–South and triangular cooperation, and was particularly appreciative of the work of the Turin Centre. He supported the draft decision.
66. *A Government representative of China* welcomed the progress made through South–South and triangular cooperation in terms of employment promotion, the expansion of social security and the improvement of labour relations. Noting that China had been a beneficiary as well as a donor of development cooperation, and would continue to support the ILO in that regard, he said that it was important to recall that South–South and triangular cooperation should take place on a voluntary basis for developing countries and not according to preset conditions. He expressed concern regarding ongoing reductions in official development assistance; despite the diversification of resources for international cooperation, that assistance remained the major source of funding for many developing countries. North–South cooperation was still the mainstream of international development cooperation, although South–South cooperation was a useful complement to it. He urged developed countries to keep their pledge to allocate 0.7 per cent of their national income to official development assistance. His country would support ILO’s work in South–South and triangular cooperation, promote the Belt and Road Initiative and cooperate with the ILO in eradicating decent work deficits. His Government supported the draft decision.
67. *A Government representative of Canada* drew attention to the Global Partnership Initiative on effective triangular cooperation, launched during the second High-Level Meeting of the Global Partnership for Effective Development Co-operation in Nairobi in 2016. This multi-stakeholder initiative provided an opportunity to enhance institutional arrangements and better support the 2030 Agenda and the principles of South–South and triangular cooperation. Her country supported the draft decision.
68. *A Government representative of Ecuador* welcomed the strategy and the ILO’s leadership in promoting effective partnerships to broaden South–South and triangular cooperation. She supported the draft decision.
69. *A representative of the Director-General* (Deputy Director-General, Field Operations and Partnerships) said that the Office had taken note of the comments and proposals made, in

particular those regarding the desire to: strengthen and expand South–South and triangular cooperation; increase the involvement of the social partners; make greater use of the Turin Centre and regional centres such as CINTERFOR; and keep in mind that South–South and triangular cooperation would be central to the achievement of the SDGs and the UN reform process.

## Decision

### **70. *The Governing Body requested the Office:***

- (a) *taking into account the recommended future steps outlined in paragraphs 20–22 of document GB.332/POL/4, to further develop the implementation of the South–South and triangular cooperation strategy as stated in the Programme and Budget for 2018–19; and***
- (b) *to consider the initial guidance, provided in the Governing Body discussion on South–South and triangular cooperation, in the forthcoming general discussion on effective development cooperation in support of the Sustainable Development Goals at the 107th Session (2018) of the International Labour Conference.***

(GB.332/POL/4, paragraph 23.)

## Fifth item on the agenda

### **An integrated ILO strategy to address decent work deficits in the tobacco sector**

[\(GB.332/POL/5\)](#)

- 71. *The Worker spokesperson*** welcomed the shift in focus to an integrated strategy that addressed not only child labour but all the decent work deficits in the sector. In many countries, tobacco workers earned low or poverty wages and were prevented from organizing and bargaining collectively. The ILO’s public–private partnerships (PPPs) clearly failed to address the root cause of child labour in the industry, namely endemic poverty among tobacco farmers. Her group supported the three-pronged strategy proposed in paragraph 30 of the document, but considered that freedom of association and collective bargaining needed to be at the core of the strategy. Other priority areas included the hazardous nature of the work and the urgent need to address poverty wages for adults. The issue of tenancy bills also needed to be addressed in a more effective manner.
- 72.** Her group welcomed the proposed work with tobacco-producing countries on diversification strategies to transition out of the tobacco sector, and on national policies related to wages and occupational safety and health. It was important not only to coordinate policies at the national level, but also at the regional level.
- 73.** The Office had clearly taken the concerns voiced on previous occasions, especially by tobacco-producing countries in the Africa region, into consideration when preparing the document, which offered more to those countries than the current PPPs did. It was important to move forward with the proposed integrated strategy.

74. The role of the tobacco industry in addressing decent work deficits in the sector needed to be strengthened or addressed as a separate component in the integrated strategy. The tobacco industry had to make a commitment to take full responsibility for decent work in the sector, beyond the prevention and eradication of child labour, in line with the ILO Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy (MNE Declaration) and the United Nations (UN) Guiding Principles on Business and Human Rights. The business community and employers and their organizations should stop using suppliers that relied on child labour or did not take sufficient action against it, or that violated other core standards of the ILO.
75. The proposed tripartite meeting to discuss the development and implementation of the strategy should not only be an exchange of good practices, but should develop and underpin the commitment of all stakeholders to address decent work deficits in the short term, and to promote diversification strategies and transition out of the tobacco sector in the medium and long terms. The meeting should be action-oriented and provide recommendations and proposals for actions, or a roadmap for decent work.
76. Given the hazardous nature of the industry, no children under the age of 18 should work in the sector. She agreed on the need to strengthen communities' capacity to identify alternative crops, and emphasized that success would depend on the commitment of other groups, the government, the industry, the social partners and the donor community, in line with the World Health Organization (WHO) Framework Convention on Tobacco Control (FCTC).
77. Funding from tobacco companies carried a real risk of conflict of interest that violated the Model Policy for agencies of the UN system on preventing tobacco industry interference that had been developed by the UN Inter-Agency Task Force on the Prevention and Control of Non-communicable Diseases. Her group welcomed the clear statement in paragraph 38 of the document that upon expiry of the current PPPs in 2018, the ILO would use funds from the regular budget supplementary account (RBSA) and regular budget technical cooperation (RBTC) to continue working in tobacco-growing areas.
78. Her group supported the proposal in paragraph 39 to pursue a targeted resource mobilization effort. Increasing public funding to the ILO would be a useful contribution to the engagements member States made when they ratified the FCTC. The document presented a reasonable compromise and way forward that would allow the ILO to address decent work deficits in the tobacco sector, avoid abandonment of constituents with projects in the industry, and work on a medium- to long-term strategy for alternative employment opportunities for tobacco workers and growers. The governments of tobacco-producing countries and countries with high rates of consumption should be more actively engaged and fund programmes, invest in alternative employment opportunities and raise awareness among consumers. Her group supported the draft decision.
79. *The Employer spokesperson* requested the Office to share its response to a question from her group as to whether, for the ILO, the term "development partner" included the private sector, and consequently whether the Office would solicit financial support from the tobacco sector if the proposed strategy was approved.
80. *A representative of the Director-General* (Deputy Director-General for Policy) replied that the ILO defined a PPP as a voluntary and collaborative relationship between the ILO and one or more partners, including private and non-State actors, for the purpose of carrying out cooperative activities of mutual interest. The integrated strategy called for a transition from a funding base of mainly industry donors to one supported by a broad coalition of development partners supportive of the wider objectives of the integrated strategy and international development goals. If the Governing Body approved the integrated strategy,

the Office would seek to develop a diverse group of partners, but in the light of UN policies, would not solicit funding from the tobacco industry.

- 81.** *The Employer spokesperson* stated that the Governing Body's decision on cooperation with the tobacco industry would set a precedent reaching far beyond the tobacco sector. The Employers' group supported the three aspects of the draft integrated strategy: promoting an enabling policy environment for decent work in tobacco-growing countries, which should explicitly address the need for formalization; strengthening social dialogue; and promoting both decent work and the transition to alternative livelihoods for tobacco-growing communities. The last point would be a long-term and challenging process, particularly in countries that relied heavily on the tobacco industry for jobs, incomes and export earnings, and must also be led by the countries themselves. The Employers' group considered that the strategy already took account of the obligations of FCTC signatories, as no ILO activities addressed public health policies related to tobacco control.
- 82.** However, the Employers' group did not support the resources and implementation modalities of the strategy, which reopened the debate on funding from the tobacco sector. The result would be an end to all partnerships with the tobacco sector and a de facto ban on future partnerships, thereby violating the principle that the ILO must be able to cooperate with all legal sectors. The proposed modalities undermined the almost unanimous support among constituents for resource mobilization that combined domestic funding with development cooperation funds from a broad variety of sources, to which the Office document did not refer. The Employer' group opposed the proposals to use RBSA and RBTC funds after the expiry of the current PPPs in 2018 and to replace broad, long-term resource mobilization with targeted resource mobilization. The private sector had been omitted from the call for development partners, which the Office should rectify. She asked how wider ILO action in the tobacco sector to address areas such as social dialogue and formalization would be funded if the existing funds of US\$15 million, which covered only action to eliminate child labour, were simply replaced. The list of UN agencies that had explicitly prohibited receipt of funding from the tobacco industry was unconnected to the argument, divisive and unbalanced, as it omitted both the significant number of organizations that had not imposed such prohibitions and the existing national and international PPPs with the tobacco sector.
- 83.** ILO cooperation with the tobacco industry was crucial for several reasons. First, the Office could not design discriminatory policies against one legal business sector but not others that were associated with social and environmental risks. Ending cooperation would also impede fulfilment of the commitments made under the 2030 Agenda, which called for ambitious partnerships specifically with the private sector and for the elimination of the worst forms of child labour by 2025. Additionally, the Buenos Aires Declaration promoted collaborative efforts by all stakeholders to eliminate child labour and forced labour, hence the Office could not be selective in its cooperation with industries. Second, the ILO's mandate to promote fundamental principles and rights at work was just as important as the role of the WHO and national public health authorities in promoting policies on tobacco control; livelihoods were also at stake, since other forms of employment would not entirely replace work in the tobacco sector. Third, funding from the tobacco industry had been instrumental in reducing child labour and forced labour in various countries; the short-term funding strategy proposed by the Office would not replace those funds, which should instead be expanded. Fourth, ILO estimates showed that child labour was rising in sub-Saharan Africa, therefore short-term strategies for eliminating child labour were inadequate. PPPs were critical to ensuring real progress in the elimination of child labour in Africa. Fifth, it was inconsistent for governments to object to financial contributions from the tobacco industry when they themselves received significant funds from the tobacco industry through fiscal revenues. Sixth, ILO cooperation with the tobacco industry did not fall under the FCTC, which was never intended to be applied beyond the area of public health policies related to tobacco control. Lastly, the ILO was not bound by the Model Policy, or United Nations Economic

and Social Council (ECOSOC) resolution E/RES/2017/8, which provided that UN agencies could determine the most appropriate policy approach.

84. The ILO had a duty to pursue its services and programmes and had a current revenue source to fund its work. However, the integrated strategy proposed replacing that secure source with the Office's financial reserves. The Employers' group asked from which other areas funds would be diverted as a result. The Employers' group fully supported the work of the WHO and the FCTC secretariat and was willing to collaborate with them. However, they must refrain from inappropriate actions to lobby constituents, attempting to influence Governing Body decisions and using social media to interpret the Office document.
85. The Employers' group was open to discussion aimed at preventing interference from the tobacco industry by channelling existing funding from the industry through a trust fund or similar mechanism, but it could not accept the proposed approach relating to resources and implementation modalities. Therefore, the Employers' group proposed amending the draft decision to add "presented in paragraphs 29–34" after "welcomes the integrated strategy for decent work in the tobacco sector" and to delete "including the strategy for short-term funding and long-term partnership development" from subparagraph (a).
86. *The Chairperson*, responding to a question from the Employers' group on the distribution of leaflets by observers calling on the ILO to end cooperation with the tobacco industry, stated that established practice required any person wishing to distribute material to obtain permission from the Chairperson. As he had received no such requests, the distribution must cease.
87. *Speaking on behalf of the Africa group*, a Government representative of Uganda said that, as the ILO was a specialized agency of the UN, its organs were free to discuss and depart from any recommendations of the UN General Assembly and ECOSOC, including the Model Policy, as and when required by the ILO mandate.
88. The Africa group considered that its views and those of other like-minded partners had not been taken into account in the Office document, nor did the document meet the criteria of a strategy, with clear goals and analysis-based interventions. At a minimum, the proposed strategy should have included a rapid assessment of decent work deficits in the tobacco industry in the countries concerned, information on the implications of the ILO's termination of cooperation with the industry and the cost of strategic actions. The rapid assessment should have included visits to Brazil, Malawi, the United Republic of Tanzania, Uganda and Zambia, and consultations with workers, employers, governments, community leaders and children. The Office had not consulted the relevant governments, yet acknowledged that national public resources would be critical to realizing decent work. Moreover, it had proposed alternative livelihoods for those in tobacco-growing communities without visiting the tobacco-growing areas and consulting with stakeholders. Therefore, the group could not accept the measures presented in the document as a strategy. Furthermore, some of the ILO publications used in the document dated from 2003, and the external validity of more recent studies was questionable. As the most recent studies had been carried out in only two districts, one in Malawi and the other in Zambia, it was impossible to draw conclusions about the current nature and magnitude of the problem in the five countries concerned.
89. There were also aspects that the document had not considered, such as the impact of the decision on the children involved. Under the UN Convention on the Rights of the Child, the best interests of the children concerned should be a primary consideration in decisions affecting them. He asked whether the Office had undertaken an evaluation of the impact of the decision to sever ties with the tobacco industry on children involved in or removed from child labour, and whether the Office had any evidence that such a decision was in the best interests of the children.

90. With regard to funding, it was impossible to take decisions on the budget without at least a rapid in situ assessment of the problem. Given that the Office had stated in its document to the 331st Session<sup>1</sup> that efforts to raise additional public and other funds for the elimination of child labour in tobacco-growing areas had been unsuccessful since 2013, he asked whether the situation had changed. Further, it was well known that RBTC and RBSA resources were insufficient to ensure sustainability.
91. The Africa group maintained its position that the ILO should continue its cooperation with the tobacco industry to promote decent work in the agriculture sector, including receiving funds from the industry, but would require more relevant information to be able to take an informed decision. Accordingly, the group proposed that the draft decision should be amended to read: “The Governing Body defers the decision on this matter to the 337th Session in October–November 2019 and directs the Office to develop and present to the same session a comprehensive evidence-based strategy addressing child labour and other decent work deficits in the tobacco sector.”
92. *Speaking on behalf of ASPAG*, a Government representative of Australia said that it was critical for the ILO to continue its work to prevent and eliminate child labour within the tobacco industry. She supported the planned use of funds from the regular budget for work in tobacco-growing areas after the expiry of the existing PPPs, and the proposed resource mobilization efforts to attract development partners to fund the integrated strategy. Transparency on funding partners should continue. She requested the Office to provide the Governing Body with details of the extent of child labour in the tobacco industry. ASPAG supported the draft decision.
93. *Speaking on behalf of the EU and its Member States*, a Government representative of Bulgaria said that the following countries aligned themselves with the statement: Montenegro, Bosnia and Herzegovina, and Norway. The integrated strategy was a step towards a holistic, long-term approach to addressing decent work deficits in the tobacco sector, which should also be tackled through action on all the strategic objectives of the Decent Work Agenda. The focus on promoting an enabling environment for decent work in tobacco-growing countries was extremely important. Policies to address decent work deficits and to link such work to other areas beyond child labour would require enhanced coordination and robust social dialogue with workers, employers and governments. Reorientation to broaden the ILO’s work in the sector and a coalition of development partners would be needed. The EU and its Member States supported the Office’s proposal not to renew existing PPPs with the tobacco industry and instead to use funds from the RBSA – to which the majority of contributors were EU Member States – and the regular budget on an interim basis. That would ensure continuity of support for vulnerable workers during the longer-term transition outlined in the strategy. The EU and its Members States would work with the Office to pursue partnerships with international agencies and development banks and domestic development agencies to help realize decent work in tobacco-growing areas.
94. The EU and its Member States supported the original draft decision and encouraged other constituents to lend their support, since the Office’s proposal responded to the needs and concerns expressed over funding while also addressing decent work deficits in the tobacco sector. They could not support the two amendments proposed to the draft decision. The amendment by the Africa group required the development of a strategy on decent work deficits in the tobacco industry, whereas the Office had just presented such a strategy for approval and there was therefore no reason to delay work on the issue. The proposal by the Employers’ group was incomplete, as it did not address the key issue of funding.

<sup>1</sup> [GB.331/POL/5](#).

95. *Speaking on behalf of the Southern African Development Community (SADC)*, a Government representative of Swaziland said that the SADC aligned itself with the statement of the Africa group. The SADC continued to facilitate inclusive economic growth in any legal sector of the economy. She noted the importance of the tobacco industry in income generation and employment in the Southern Africa region, particularly for vulnerable social groups, and the role played by the ILO and its member States in ensuring decent work in the industry. At its meeting of Ministers of Employment and Labour and Social Partners in March 2018, the SADC had unreservedly reaffirmed its position that the ILO should continue its cooperation with the tobacco industry to address decent work deficits in the agricultural sector, including the elimination of child labour, and should continue to accept funding for tobacco-related programmes.
96. *A Government representative of Peru* said that his country was committed to implementation of the FCTC; consistency was needed across the international forums dedicated to the topic. Appropriate implementation of the ECOSOC resolution would require the ILO to end industry financing of projects to eradicate child and forced labour. He welcomed the integrated strategy, although some aspects required further development. He expressed support for the use of RBSA and RBTC funds in the transition to a targeted approach for sustained funding from a coalition of development partners in the longer term, and endorsed the draft decision.
97. *A Government representative of the United States* said that her country would support an integrated approach to addressing decent work in the tobacco sector more broadly by addressing relevant issues beyond child labour and forced labour. Strong constituent support and the continued inclusion of employers and workers as key constituents would be needed for the shift to a broader programme approach. Existing PPPs should continue until their expiry. There was no need for the ILO to turn down future funding from the tobacco industry – a legal industry – to implement a broader strategy on the tobacco sector, since it was appropriate for the industry itself to be part of the solution. She did not consider that ILO partnerships with the tobacco industry conflicted with the Organization’s role in the UN system, and the Model Policy was non-binding. As a prohibition on ILO partnerships with the industry would not advance efforts on decent work or non-communicable diseases, she welcomed the fact that the document did not preclude future engagement with the tobacco industry.
98. With respect to the use of regular budget funds to continue work in tobacco-growing areas, she asked how much was needed to cover those efforts and which other activities would be eliminated as a result. She expressed doubts about the proposed tripartite global meeting on decent work in tobacco-growing communities, and requested information on the proposed participants, anticipated outcomes, relationship to the work of the Governing Body and its potential cost and source of funding. Endorsement of the integrated strategy would not indicate endorsement of the proposed tripartite global meeting. She reserved judgement on the draft decision until later in the discussion.
99. *A Government representative of Lesotho* emphasized the importance of tripartism at the ILO, which meant that the tobacco industry remained part of the Organization’s business constituency. The existing PPPs had had a documented positive effect on the elimination of child labour, which would be reversed if that financial support was withdrawn without the introduction of alternative forms of funding. The best interest of the child was of paramount importance. Although the Africa group had stated that successful implementation of an integrated strategy would require engagement in PPPs with the tobacco industry, that view had not been incorporated in the strategy presented to the Governing Body. Alternative livelihoods were a development issue that was the responsibility of member States; careful impact analysis was needed to find viable alternatives to tobacco before discussion of the issue. She expressed serious reservations about supporting the implementation of an

integrated strategy to address decent work deficits in the tobacco sector that excluded the key stakeholder, the tobacco industry itself.

- 100.** *A Government representative of India* said that the ILO must play a significant role in increasing efforts to eradicate child labour in the tobacco sector. At recent tripartite consultations held in India, most employers' and workers' organizations supported the discontinuance of PPPs between the ILO and the tobacco industry. The search for alternative funds must not weaken ILO intervention in the tobacco sector, which was important in tackling decent work deficits. Moreover, the ILO must be governed by its own mandate and guidelines, including those on choosing partners, and not by the mandate of other international bodies. Her Government supported the draft decision.
- 101.** *A Government representative of Namibia* expressed concern at the lack of tangible, sustainable ways to obtain alternative funding for child labour eradication programmes in the integrated strategy. Noting that Zambia was cited at the 106th Session of the International Labour Conference in 2017 for failing to do enough to address child labour in the tobacco sector, she pointed out that the Office had failed to provide the promised technical support. Current partnerships with the tobacco industry must continue beyond the lifespan of present projects in an effort to promote research and development and eradicate child labour.
- 102.** *A Government representative of Myanmar* said that the ILO's three-pronged integrated strategy was progressive, pragmatic and visible, and would address immediate, short- and long-term challenges. His Government welcomed the proposal to use funds from the RBSA, as well as to pursue alternative resource mobilization possibilities. The strategy would help efforts to eliminate child labour in tobacco-growing areas and be a catalyst for achieving the SDGs. His Government supported the draft decision.
- 103.** *A Government representative of Nigeria* said that efforts to promote decent work in the industry required substantial funding. His Government did not oppose ILO partnerships with the tobacco industry, but they must be mutually reinforcing and complementary. It was also important that the tobacco industry did not influence tobacco-control efforts. Governments, together with the ILO, had a responsibility to fight jointly against child and forced labour in the tobacco industry. They should impose higher taxes on tobacco to raise alternative funding for decent work initiatives in conjunction with the ILO, which could also approach other credible donor agencies for financial support.
- 104.** His Government welcomed the first two prongs of the strategy, but could not accept the third prong, particularly the section on transitioning to alternative livelihoods. The tobacco industry was a legitimate business, and it was unacceptable to ask people to leave it for other areas where economic and environmental variables were unknown, potentially plunging them into deeper levels of poverty. Such a transition ran counter to the principle of natural economic justice and marked a shift from a sustainable economic activity to a non-sustainable one. The strategy must include the ratification of the relevant labour standards, transferral into domestic legislation, application, supervision and reporting, and must be implemented with the engagement of the social partners.
- 105.** Since the document, and in particular the draft decision, did not propose an acceptable, comprehensive strategy, the Government of Nigeria wished to defer the item to another Governing Body session. That would give the Office time to draft another document and for further consultations to be held with stakeholders.
- 106.** *A Government representative of Canada* welcomed the broadened approach of the strategy and the focus on developing capacities to transition to alternative livelihoods. She encouraged the ILO to work with other UN agencies, including the Food and Agriculture Organization (FAO), in that regard. The ILO should continue its technical activities in the

sector, grounded in the wider objectives of the integrated strategy and international development goals, and engage actively in resource mobilization efforts. A draft decision expressly committing the Office not to accept funding from the tobacco industry and referencing the Model Policy would have been preferable. However, in the spirit of compromise, her Government could support the original draft decision. It could not accept either of the proposed amendments to the draft decision.

- 107.** *A Government representative of Ecuador*, welcoming the ILO's decision to fund projects in the short term, said that the transition period, in addition to allowing time for alternatives to be found, would ensure the strengthening and sustainability of the Decent Work Programme. Her Government saw the integrated strategy as a way to bring an end to all financial links between the ILO and the tobacco industry. It would require strengthening alliances to create a coalition of development partners to secure the necessary financing for current projects to continue fighting for the eradication of child labour and forced labour. International intergovernmental bodies must also work together to prevent interference from the tobacco industry. The Model Policy was mandatory for ILO member States that had ratified the FCTC, obliging them to ensure that financial links between the ILO and the tobacco sector were severed. She called on member States that had not yet ratified the FCTC to do so in order to strengthen and promote policy coherence among UN system organizations. The Government of Ecuador supported the original draft decision, but not the amendments proposed by the Employers' group and the Africa group.
- 108.** *A Government representative of Uruguay* said that the document was a positive first step towards addressing the issues at stake, and her Government supported the draft decision. Particularly welcome was the recognition of the need to provide workers in the tobacco sector with alternatives to enable them to improve the quality of their lives and that of their families. However, her Government expressed concern at the unclear position of the ILO on compliance with the UN system common policies on the tobacco industry; there must be policy coherence throughout the system. The Office had not provided clear alternative long-term funding options for child labour eradication programmes, nor had it specified its stance on the Model Policy. Although her Government supported the proposal for the ILO to use its regular budget in the short term to fund the programmes, it was of utmost importance to find robust, sustainable alternatives. It was also concerned that finding a resolution to the issue had been repeatedly postponed, which had an impact on the legitimacy, coherence and prestige of the ILO within the UN system.
- 109.** *A Government representative of Brazil* said that his country had a leading role in the FCTC negotiations, being one of the first countries to ratify that instrument and remaining committed to its values and implementation. Noting that the tobacco industry had a significant economic and employment impact in specific regions of his country, he added that ILO projects funded by PPPs with this industry in Brazil had enjoyed positive tripartite evaluation. According to Brazil, different views and legitimate concerns had been expressed in the past months by a broad and representative set of players, suggesting it was time to engage constructively in negotiations towards a balanced and lasting way forward. His Government appreciated the efforts of the Office to differentiate between short- and long-term approaches. In the short term, the ILO was right not to interrupt the flow of funds for existing programmes by using funds from the RBSA to cover immediate needs. In the long term, his Government supported building a broad coalition of development partners, including other UN agencies and international economic institutions. Such a coalition would allow for innovative financial tools to be designed with the possible use of private resources, while safeguarding against any undue interference by ensuring that partnerships with the private sector were strictly and robustly controlled. Brazil undertook to continue its long-standing efforts to eradicate child labour in the tobacco sector and improve the quality of life of rural workers and their families. The Government of Brazil saw value in the draft

decision as a possible way towards building consensus and was ready to discuss it in more depth.

110. *Speaking on behalf of the Central African Economic and Monetary Community (CEMAC)*, the Government representative of Cameroon, supporting the views expressed by the representative of the Africa group, said that an integrated strategy was necessary to address the decent work deficits in the tobacco sector.
111. *A Government representative of China* said that the UN system must ensure that its activities were free of interference from the tobacco industry. His Government supported a number of policies and instruments in that regard, including the FCTC. However, he emphasized that the tobacco industry was a legitimate industry of crucial importance to the Chinese economy. Addressing decent work deficits in the tobacco sector should be a priority for the ILO. His Government therefore welcomed the integrated strategy, particularly the emphasis on an enabling policy environment and social dialogue. He supported the proposal to continue project funding in the short term through the RBSA. The Office should seek partnerships with other organizations, including the World Bank, to mobilize resources in order to continue supporting projects in developing countries, especially in Africa.
112. *A representative of the World Health Organization (WHO)* said that, as decent work deficits in the tobacco sector must be addressed through an integrated strategy, the WHO had been working closely with the ILO to protect the interests of tobacco growers and workers throughout the production chain. Child labour must be eliminated everywhere. Nevertheless, the FCTC did not recognize the tobacco industry as having a legitimate role to play; the tobacco industry was part of the problem, not part of the solution. The FCTC had been negotiated precisely because the tobacco industry had a long history of promoting its own interests to the detriment of consumers, governments and workers. Some 174 ILO member States were bound by the treaty, and the remaining 13 were invited to adhere to it.
113. The action under way with respect to the tobacco industry's funding to the ILO would not set a precedent for other industries. The FCTC implementation guidelines clearly stated that partnerships with the tobacco industry must be rejected. Around the world, tobacco was regulated by governments in a unique way. Aside from being a health issue, it posed a threat to the environment and, ultimately, a barrier to national sustainable development. Policy coherence was therefore required. She called on the Governing Body to give equal prominence to the obligations of the FCTC as to the obligations of other international treaties.
114. The WHO and the FCTC secretariat remained at the ILO's disposal to advance the agenda in a constructive way, and looked forward to working with other UN agencies and civil society partners to promote decent working conditions for all and alternative livelihoods to tobacco growing.
115. *A Government representative of Kazakhstan* expressed concern about information given in footnote 26 of the document, which cited as an example migrant workers in the tobacco sector in Kazakhstan having had their passports confiscated and being obliged by employers to work without pay. The Government of Kazakhstan had been working collaboratively on the implementation of a comprehensive programme to eliminate child labour and provide decent working conditions on tobacco farms, which included providing assistance to migrant workers and educating tobacco farmers on how to cultivate alternative crops. As the example cited in the footnote did not reflect the real situation in his country, he requested that it be removed.
116. *The Worker spokesperson* said that a distinction must be drawn between cooperating and accepting funding. There was consensus among the constituents that cooperation with the

tobacco sector to promote decent work was necessary. The Workers' group wished to move forward by including the sector in efforts to improve wages and working conditions and abolish child labour. She expressed surprise that the Employers' group had not used the opportunity to speak of its strong commitment to improving the decent work profile of the sector. The Africa group and the unions in various countries had reported that enormous challenges to reducing the decent work deficit remained.

117. The ILO was, in her view, very committed to the protection of children and the abolition of child labour. The development of an integrated strategy was, in itself, an acknowledgement that child labour in the tobacco sector must be addressed from a broader perspective. She welcomed the Employers' approval of all paragraphs up to paragraph 35. It was her understanding that the tripartite meeting mentioned in paragraph 33 was intended to feed further development of the integrated strategy by allowing for consultations with experts from the regions, groups, employers and workers in the sector. She urged the Africa group to heed the United States' call to specify the kind of tripartite meeting envisaged.
118. Recalling the comments made by the Government representative of Brazil, she wondered whether there might be a way to secure private funding while also safeguarding against undue interference. It was essential to find means of funding that were consistent with the FCTC. The concerns expressed by the Africa region at the November 2017 session of the Governing Body with regard to the discontinuation of projects had been adequately addressed because what would replace those projects represented a much broader commitment. The current issue was how to secure not only short-term but also long-term funding. She had heard broad support for the integrated strategy, and her group's preference would be for the outstanding issues and concerns regarding funding to be resolved during the current session.
119. *A Government representative of Zambia* said that the idea of dispensing with projects that helped children in exchange for a promissory note was deeply saddening and unacceptable. The statement delivered by Uganda had made it clear that issues of child welfare took precedence over other issues. However, no assessment had been made to determine how the Governing Body's decision would affect children, and the issue of funding was still unresolved. In such a context, it was entirely inappropriate to withdraw existing support. Tobacco was a product legally grown and sold. Zambia was a signatory to the FCTC and aware of the evils of tobacco. However, if the support to children ended in 2018, their fate was unclear. It was doubtful whether the stakeholders talking about Zambia had ever visited the country to see the extent of child labour within its borders. He entreated the Office to send teams to Zambia to hold wider tripartite consultations on the matter in order to truly understand the issues at stake, particularly within the countries affected.
120. *The Employer spokesperson* underscored that her group was indeed committed to improving conditions of work, including in the tobacco sector, and observed that the constituents seemed as divided as ever over the issue of funding. The Employers' group had stated several times that the tobacco industry was legal and should be allowed to play its role in funding and all other initiatives to address the decent work deficits in the sector. Furthermore, there had been no consensus on the integrated strategy. Many tobacco-growing nations had rejected it, bemoaning the fact that they had not been consulted. The lack of consultation should be remedied by ILO visits to countries such as Zambia, the United Republic of Tanzania and Malawi to see the extent to which the situation described in the document reflected the situation on the ground.
121. Considerable work had already been carried out to address the issue of decent work deficits. The ILO could not dismiss a whole industry and merely tell workers that they would be given alternative livelihoods without consultation. She welcomed proposals by other Members to look at alternative ways of managing funding from the tobacco industry so as

to address the issue of interference. Her group was also open to addressing that issue and, crucially, did not wish to lock out a legitimate sector on the basis of prejudices that did not necessarily hold water.

122. Having listened carefully to what many African governments and others had said, she was inclined to support the amendments to the draft decision proposed by the Government group. Her group also had its own proposal, and would like more time for consultations in order to agree on a harmonized position.
123. *A representative of the Director-General* (Deputy Director-General for Policy) said that the discussion had been triggered by the development of a UN Ad Hoc Inter-Agency Task Force on Tobacco Control model policy on tobacco control and the adoption of an ECOSOC resolution encouraging members of the Inter-Agency Task Force to develop and implement their own policies on preventing tobacco industry interference according to their mandate, keeping in mind the Model Policy for agencies of the UN system on preventing tobacco industry interference to ensure consistent and effective separation between the UN system and the tobacco industry. The ILO was not obliged to adopt any policy on the matter. It was, however, obliged to bring the Model Policy and related issues to the Governing Body for its consideration under the Agreement between the UN and the ILO, which allowed it to submit formal ECOSOC recommendations to the Governing Body for its consideration and to notify the UN of any action taken; the Governing Body's obligation was to consider those recommendations.
124. The non-binding principles underpinning the Model Policy included the principle that members of the UN system should work together to ensure its separation from the tobacco industry in order to preserve its integrity and reputation in promoting development, and reject partnerships with the tobacco industry. The document before the Governing Body was the product of constructive tripartite discussions held with a view to formulating an integrated strategy to address decent work deficits that would guide the Office's work. Constituents had initially reacted positively to the basic principles of an integrated strategy that would drive the development of the ILO's partnership strategy. The Governing Body had requested a short- and long-term strategy, the former including guidance on PPPs because they would expire starting in 2018. The issue of funding had been included in the document because tripartite members had not provided feedback on funding in previous consultations.
125. The document did not suggest that the ILO would abandon the tobacco sector or its work on child labour in the tobacco sector, or that the Office would ban tobacco sector funding or sever its ties with the sector. The participation of tripartite partners was a prerequisite for progress. Some aspects of the integrated strategy proposed in the document had not received support from some governments. Shortcomings in the data presented as part of the integrated strategy were due to difficulties measuring child labour in the sector, which would require additional time and resources. Furthermore, during the period available to the ILO to develop the strategy, ILO officials had not visited some of the countries involved, relying on country offices to provide updated information.
126. The document explored ways to move forward after the expiration of PPPs in 2018–19, in particular by bridging the US\$2 million funding gap with contributions from the RBSA (US\$1.5 million) and the regular budget for technical cooperation (US\$500,000) for a one-year period. The Office would report back to the Governing Body on the issue in 2019; however, that proposal would not entail a shift in priorities since funding allocations had not yet been finalized for the biennium. If the Governing Body accepted the draft decision, the Office would immediately seek support from a range of public and private development partners, although it would not solicit funding from the tobacco sector at that point. Such an arrangement would not violate ILO policy on PPPs. The ILO was currently working with

several industries to eliminate child labour and address fundamental principles and rights at work without soliciting or receiving funds from the sectors involved. It would not rule out working with the tobacco industry since employers were an essential partner in tripartite action. The integrated strategy should provide space for robust tripartite dialogue on decent work deficits in the sector. As noted by the Africa group, involving the tobacco industry would help the ILO gain insight into the issue.

127. Alternative livelihoods fell within the ILO's remit of working towards full employment in decent working conditions. At the country level, the Organization worked on alternative livelihoods when agreed with governments and the social partners. The *Guidelines for a just transition towards environmentally sustainable economies and societies for all* indicated that alternative livelihoods were crucial to progress towards a carbon-neutral environment. Work at the country level to advance structural transformation often involved improving livelihoods, which required collaborative projects with tripartite partners to support the development of economic sectors. The ILO was currently working with Zambia to develop its national action plan on child labour and would continue to do so. The question of whether the ILO could act consistently with the FCTC and accept money from the tobacco sector would require consideration of the ILO's mandate, the obligations of member States parties to the Convention, certain non-binding principles in the Model Policy and the tripartite development of a mechanism on tobacco control.

128. *The Director-General* said that the debate had been encouraging and that dialogue had developed since the previous discussion of the issue, with possible progress on the horizon. Acknowledging the Governing Body's concerns about the continued lack of consensus, it would be important to reach agreement at the present meeting. Although the ILO was not bound by the FCTC, the Office had responsibilities to the UN system and should work towards cohesion and consistency in that regard where possible. Red lines and reluctance to compromise were obstacles to tripartism, but constituents were making progress and would have the opportunity to review their own positions and the perspectives of other members during the present session. All but 13 member States had assumed obligations under the FCTC, including all African governments, and the ILO had obligations to tobacco industry workers. He expressed surprise that the integrated strategy had received criticism at the meeting in view of the strong support it had initially received from the Governing Body, which had said it would signify progress and commitment to the tobacco sector. The ILO could do nothing without funding; however, discussion on that issue should have concluded at the previous Governing Body session. Reconciling the Office's responsibilities to the UN system with its commitments to decent work in the tobacco sector would be key to achieving consensus and would require the best efforts of constituents and the Office.

129. *The decision was deferred to a future session of the Governing Body.*

## **Multinational Enterprises Segment**

### **Sixth item on the agenda**

#### **Review of the MNE Declaration follow-up mechanism comprising promotional activities and an information-gathering system ([GB.332/POL/6](#))**

130. *The Employer spokesperson* restated her group's support for the revised Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy

(MNE Declaration), mirroring the *UN Guiding Principles on Business and Human Rights* and the *OECD Guidelines for Multinational Enterprises* and thus enabling businesses to understand their responsibilities in a coherent manner. The Employers welcomed the Office's efforts to promote the MNE Declaration, which included translating the Declaration into nine languages, launching a new informational website and maintaining the ILO Helpdesk. She highlighted the Employers' own initiatives in promoting the Declaration during the Tenth European Regional Meeting and the 2017 Annual UN Forum on Business and Human Rights, where the IOE had hosted a panel on how multinational enterprises could encourage the remediation of human rights abuses by their business partners, using the MNE Declaration as the hook. However, the Employers had concerns about the Office's use in the document of the term "mechanism" to describe its follow-up activities, as neither the Governing Body nor the ad hoc group reviewing the Declaration had requested a mechanism. While her group supported the Office's promotional activities of the Declaration, it did not support the creation of a fixed mechanism that could result in misinterpretation of the Declaration and its operational tools.

131. The emphasis on national focal points also gave cause for concern as they were intended merely to promote the use of the Declaration at the national level following a tripartite appointment, not imposed by the ILO. There might be other tools and mechanisms at the national level to promote the Declaration. Moreover, the focal points were not dispute settlement mechanisms; the term "national focal point" was designated in the Declaration using lower-case letters specifically to avoid confusion with official bodies such as the OECD's National Contact Points. It was not the Office's role to push States to establish national focal points as the only means of promoting the Declaration. The Office should not promote the Declaration as a grievance mechanism towards the Tokyo Organising Committee of the Olympic and Paralympic Games. The Employers strongly opposed any activity or meeting that singled out national focal points as the sole or default method for promoting the Declaration and objected to the use of the term "national focal points" in the Office's future questionnaire. Instead, the Office should give equal attention to all means of promoting the Declaration.
132. With regard to company–union dialogue, the Declaration clearly set forth the purpose and form of such discussions and the ILO's role in that regard. The speaker expressed frustration that the document also referred to those discussions as a "mechanism" in paragraph 16, when the ad hoc working group had deliberately referred to them as a promotional "tool". She called on the Office to make its language consistent with that of the revised Declaration. If no requests for company–union dialogue facilitation had been received, that was perhaps because companies and unions were using other forums for discussion. The ILO should not assume that it was the only entity able to foster such dialogue. The option for company–union dialogue existed but was voluntary.
133. The Employers' group would continue to support promotion of the Declaration in ways that were practical for business and faithful to the instrument's principles. However, the Office must take note of the concerns raised and ensure that all promotional activities respected the Organization's tripartite nature and the existing consensus on the instrument.
134. *The Worker spokesperson* said that the original aim of the agenda item had been for the Governing Body to assess the results of the regional-level surveys and discussions during the past four Regional Meetings and provide further guidance for the next cycle of Regional Meetings starting in 2018. A second assessment would be made through a global meeting. Since the review under discussion did not reflect that, he wished to know when the global meeting would take place. While Governing Body discussions on the MNE Declaration were useful, the ILO should follow the example of the OECD and the Office of the United Nations High Commissioner for Human Rights by providing a global forum to discuss the way forward and prompt a renewed sense of commitment to the instrument.

- 135.** The Workers' group welcomed the detailed review of the Declaration's follow-up mechanism, presenting a comprehensive and coherent set of tools to promote the Declaration and its principles as an important contribution to the 2030 Agenda and the challenges of the future of work. The Turin Centre should remain a centre of excellence for capacity building, both in Turin and in the field, and through online tools such as the e-learning and interactive website. Any future joint training activities with the World Association of Investment Promotion Agencies should be on a tripartite basis and training should be aimed at national decision-makers in charge of economic development and trade, in addition to ILO constituents. The ILO Helpdesk continued to be useful, and its questions and answers section should be translated into more languages through collaboration with more ILO Offices. There should be close collaboration with ACTRAV and ACT/EMP in the new development cooperation projects outlined in paragraph 11 of the document.
- 136.** The best way to promote the Declaration was at the country level and in synergy with DWCPs. However, to date only two member States had established national focal points. The Office should make more efforts to promote their establishment by providing information to constituents. Members of the Governing Body should be the first to commit to a safe, positive, tripartite approach. However, promotion did not stop at the country level but should also occur more across countries in order to guarantee implementation along supply chains. That would entail placing greater emphasis on the home countries of multinational enterprises, as well as on national tripartite-plus dialogue platforms and their expansion to a greater number of sectors and countries, especially in Asia and Arab States. The Workers' group highly valued the home-host country dialogues and would like the Office to organize a Regional Meeting.
- 137.** It would be essential to involve the tripartite constituents in existing and future collaboration with other international and intergovernmental organizations. Developments regarding the UN Global Compact would require further discussion, as there could be repercussions for the ILO's activities, mandate and constituency. The Workers' group expected the Office to develop materials on due diligence as defined in the Declaration, in addition to the existing OECD guidance. The Office should also seize opportunities to promote the Declaration with other organizations and the Workers' group welcomed further consultation and collaboration on that matter.
- 138.** The Workers' group considered the regional follow-up to be a useful exercise and believed that regional experiences should find their way to the global level. Follow-up plans should be developed in consultation with the social partners. The American Regional Meeting in 2018 could offer an excellent opportunity to start promotion of the Declaration with more regional entities, such as the Inter-American Development Bank.
- 139.** The Workers considered company–union dialogue to be an important means of putting the MNE Declaration into effect. The Office should make greater efforts to promote that mechanism and develop procedures and a list of facilitators to encourage its use. His group also supported exploring new avenues for statistical data gathering, as well as improving synergies across the Office in promotion of the Declaration, including in the text of public–private partnerships and in keeping social dialogue at the heart of the Declaration. His group supported the draft decision.
- 140.** *Speaking on behalf of the Africa group*, a Government representative of Ethiopia commended the Office on the new translations, website, e-learning module and training activities and welcomed developments on country-level assistance and engagement with international organizations. In light of the comparatively low survey response rate from the Africa region and the relevance of the instrument in relation to foreign direct investment and global supply chains, the Office should increase its engagement and support on the Declaration in that region. The ILO should step up its cooperation with relevant international

and intergovernmental organizations to harmonize the implementation of the Declaration with other similar instruments. His group supported the draft decision.

141. *Speaking on behalf of IMEC*, a Government representative of Germany said that her group considered the Declaration to be a very important instrument complementing the UN Guiding Principles and the *OECD Guidelines for Multinational Enterprises*. The operational tools were vehicles through which change could be promoted and greater awareness should be raised for the company–union dialogue. Office efforts to promote the revised MNE Declaration were welcome, such as the new website on the Declaration and the ILO Helpdesk. The Office was encouraged to make further use of innovative tools that could attract a broader public, such as distance- and online-learning courses and webinars on the core elements of due diligence. The most popular feature of the Helpdesk – the question and answer section – showed that there was high demand for issues of practical application.
142. IMEC welcomed the Office’s country-level assistance linking the promotion of the Declaration closely with national decent work priorities, as well as the projects on responsible supply chains in a number of countries in Asia. The Office was encouraged to develop partnerships in other countries and to promote the implementation of the due diligence approach, especially with constituents and specific programmes implementing the Declaration along supply chains, such as the Better Work and the Sustaining Competitive and Responsible Enterprises (SCORE) programmes. The appointment of national focal points was supported where similar tools and processes, such as the OECD National Contact Point, were not in place. IMEC appreciated that the Office worked closely together with other relevant international and intergovernmental organizations when implementing and helping to implement the principles enshrined in the Declaration. In its collaboration with other international and intergovernmental organizations, the ILO should focus on its unique mandate and expertise and use the opportunity to emphasize the importance of social dialogue in implementing due diligence. IMEC supported the draft decision.
143. *Speaking on behalf of the EU and its Member States*, a Government representative of Bulgaria, said that Montenegro, Serbia, Albania and Bosnia and Herzegovina aligned themselves with the statement. Expressing support for the IMEC statement and the full commitment of the EU to the promotion of the instrument, she welcomed the numerous promotional activities, including those conducted in partnership with the EU. The ILO should further promote due diligence in its programmes. The appointment of national focal points in countries where there was no OECD National Contact Point could stimulate uptake of the MNE Declaration at the country level. The regional follow-up mechanism provided a good basis for the identification of specific needs for technical support and follow-up actions. Further information on the impact of the MNE Declaration on SMEs would be useful. Continuous engagement with other international and intergovernmental organizations and joint efforts were needed in order to foster private sector contribution to the SDGs. The EU and its Member States promoted the MNE Declaration and other related instruments and principles through various policies, instruments and activities; supported ILO activities to promote responsible supply chains; appreciated that the follow-up mechanism of the Declaration generated greater awareness and commitment; and supported the draft decision.
144. *A Government representative of Argentina* requested assistance for her country as soon as possible. Argentina had set up a network of companies in support of decent work, with special emphasis on the value chain. Doing so had achieved significant results, but efforts should be strengthened. Maintaining decent work in the supply chain was of critical importance as larger companies frequently imposed costs on SMEs, making it impossible for them to guarantee workers’ rights. Follow-up actions to the MNE Declaration should continue in the most efficient way possible and with the broadest possible reach.

145. *A Government representative of Lesotho* commended the Office for its efforts to promote the MNE Declaration. Recalling the Addis Ababa Declaration adopted at the 13th African Regional Meeting, she called on the Office to continue to identify and address challenges; build the capacity of tripartite constituents; increase technical support; revise the operational tools to ensure they were attractive and useful to constituents; and strengthen advocacy work and joint ventures undertaken with various regional and international organizations. Her country supported the draft decision.
146. *A representative of the Director-General* (Director, Enterprises Department) thanked the Governing Body members for all the expressions of support for the Office's work. The concerns raised could be resolved through ongoing consultation with the social partners and the Governments to ensure that the Office's interpretation of the MNE Declaration substance and processes was agreed by all. He clarified to the Employers' group that there was no grievance mechanism included in the partnership agreement between the ILO and the Tokyo 2020 Organising Committee. He was not aware of a Governing Body decision regarding a global meeting mentioned by the Workers' group and suggested that further consultations could clarify that matter. The national focal points were in the early stages and would take shape through national tripartite dialogue. Discussions on the Global Compact needed to be reviewed in the context of the broader UN reform process. He noted the many requests for capacity building and technical assistance, for increasing the ILO's activities in Africa, and for looking at the linkages with SMEs. He welcomed further engagement with the constituents on the MNE Declaration.

## Decision

147. *The Governing Body:*

- (a) *took note of the information contained in document GB.332/POL/6; and*
- (b) *requested the Office to take into account its guidance on enhancing the further recognition and implementation of the Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy (MNE Declaration).*

(GB.332/POL/6, paragraph 20.)